

## **REMARKS**

This is responsive to the final Office Action dated December 9, 2004 in which the Examiner rejects all the pending claims as either being anticipated by Voit et al. (US Patent No. 6,295,292) under 35USC §102 (b) or being obvious over combinations of Voit et al, Mizuta et al. (US Patent No. 6,584,110), Girard (US Publication No. 2003/0095542), Crowe et al (US Patent No. 6,115,460), Neyman (US Patent No. 6,215,783), Gordon et al. (US Patent No. 4,905,273), , Smith (US Publication No. 2003/0123632) and Galvin (US Patent No. 6,134,315) under 35USC §103(a). Claim 1 is further rejected under 35USC §112.

Applicants have further amended independent claims 1, 7, 10, 12, 19 and 25 to more precisely define the present invention, and believe such amendments have rendered the independent claims clearly distinguishable from Voit and nonobvious over its combinations with other cited patents. Moreover, the rejection to claim 1 under 35USC §112 is believed to have been overcome with the amendments. Thus, Applicants respectfully traverse the rejections of the Examiner's based on the claims as amended, as explained in detail below.

In particular, Applicants respectfully disagree with the assertion of the Examiner's that Voit teaches the distinguishing feature that original gateway is selected if or after the step of determining, by examining a called number, whether the call shall be routed to the packet data network, as clearly defined in all the independent claims 1, 7, 10, 12, 19 and 25 either expressly or in similar language. This discrepancy cannot be overcome by Neyman, Gordon, or any other cited patents. As a matter of fact, none of the cited patents discloses a step of examining the called number to determine whether the call shall be routed to the packet data network. In both Voit and Neyman, which the Examiner mainly relies on for the rejections to the independent claims, all the incoming calls are always routed to the packet data network and there is no need

for such a step of examining the called number to determine whether the call shall be routed to the packet data network.

In Voit, for example, after the user dials an 800 number, the 800 number is translated to a real number (DN) associated with an originating gateway ITG (see e.g., col. 38, lines 18 – 22). There is no teaching in Voit that a step of examining the called number is needed to determine whether the call shall be routed to the packet data network through the ITG, and of course in Voit the selection of originating gateway is not done after the call is determined to be routed over data network by examining the called number. Similarly, in Neyman, incoming calls (which are made by dialing an 800 number) are always routed to the data network too (see e.g., col. 8, lines 44-49), and there is no teaching in Neyman that a step of examining the called number (which is actually a 800 service number) is needed to determine whether the call should be routed to a packet data network. Moreover, it is noted that the gateways TG and DG in Neyman are terminating gateways but not originating gateways as defined in the independent claims.

Therefore, Applicants respectfully submit that all independent claims 1, 7, 10, 12, 19 and 25 are patentable because of the above-discussed distinguishing feature. At least for the same reasons, all the dependent claims 2-6, 8-9, 11, 13-15, 20-24 and 37-54 are also patentable as each of them includes all the limitations of one of these independent claims.

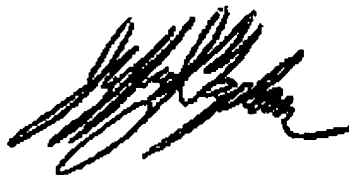
In particular, dependent claims 37, 40, 43, 46, 49 and 52 further defines that the caller is authenticated if or after the call is determined to be routed to the packet data network. This distinguishing feature is not disclosed in Voit or any other cited patents since, as explained above, none of Voit, Neyman or any other cited patents teaches the step of determining whether the call shall be routed to the packet data network by examining the called number. Therefore, the patentability of these dependent claims is further strengthened.

By the way, Applicants have amended claim 48 to be dependent to claim 47.

Thus, Applicants respectfully request reconsideration of claims and allowance of them in view of the above remarks and the amendments. The Examiner is authorized to deduct any fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN & GILMAN, L.L.P.  
900 Route 9 North  
Woodbridge, NJ 07095  
Telephone (732) 634-7634



DATED: March 8, 2005

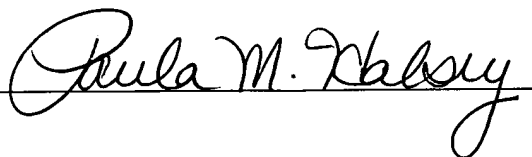
Jeffrey I. Kaplan  
(Reg. No. 34,356)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 8, 2005.

Dated March 8, 2005

Signed



Print Name Paula M. Halsey